

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MICHAEL REID a.k.a. WAYNE MARTIN,

Plaintiff,

- against -

**STIPULATION AND ORDER
OF PARTIAL DISMISSAL
AND BIFURCATION**

17-CV-05268 (LDH)(CLP)

THE CITY OF NEW YORK, et al.,

Defendants.

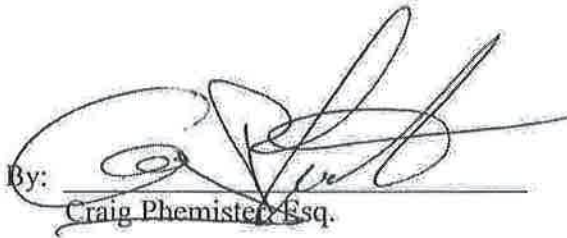
IT IS HEREBY STIPULATED AND AGREED, by and between attorneys for plaintiff and defendants City of New York, Kevin Gasser, Michael Braithwaite, Mike Hopkins, Walter Connelly, and Marc Fliedner, as follows:

1. Plaintiff's claims against Marc Fliedner asserted herein are dismissed with prejudice;
2. All discovery concerning plaintiff's claims for municipal liability ("Monell claims") and supervisory liability, asserted herein as plaintiff's sixth and seventh causes of action shall be stayed until such time as the liability of any individual defendant employed (or formerly) employed by the City and sued herein is established; and

3. Defendants consent to the filing of plaintiff's Proposed Amended Complaint, docketed as ECF No. 23, and their consent shall not be deemed an admission of any fact asserted therein, nor a waiver of any rights or defenses in this action.

Dated: New York, New York
March 27, 2018

Napoli Shkolnik, PLLC
Attorney for Plaintiff
360 Lexington Avenue – 11th Floor
New York, New York 10017

By: 
Craig Phemister Esq.

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
*Attorney for Defendants City of New York,
Gasser, Braithwaite, Hopkins, Connelly,
and Fliedner*
100 Church Street
New York, New York 10007

By: 
Hannah Faddis
Senior Counsel

SO ORDERED;

HON. LASHANN DEARCY HALL
UNITED STATES DISTRICT JUDGE

Dated: _____, 2018